



COPY OF PAPERS  
ORIGINALLY FILED

PATENT  
Docket No. 511582002100

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Assistant Commissioner for Patents, Washington, D.C. 20231, on June 17, 2002.

Tami M. Procopio  
Tami M. Procopio

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Daniel E. H. AFAR, *et al.*

Serial No.: 09/697,206

Filing Date: 26 October 2000

For: NOVEL GENES UPREGULATED IN  
CANCERS OF THE PROSTATE

Examiner: Minh-Tam B. Davis

Group Art Unit: 1642

RECEIVED

JUN 21 2002  
TECH CENTER 1600/2300

AMENDMENT UNDER 37 C.F.R. § 1.111

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

This is in response to a Communication mailed 7 May 2002, time for response to which was set to expire 7 June 2002. Clarification of applicants' election in response to a restriction requirement was requested.

Applicants intended to elect Group X, claims 30, 32 and 34, drawn to a method for detection of neoplasm by measuring the expression of the 20P2H8 polynucleotide or the corresponding RNA level. Applicants apologize for the error on page 1 of the response filed 10 January 2002 indicating that claim 29 represented this group.

However, the remainder of the Remarks in the response are accurate: Applicants continue to traverse the requirement as it pertains to Groups IX and XI-XII.

Thus, it is believed that the proposed claims correspond to the election and are consistent with the traverse.

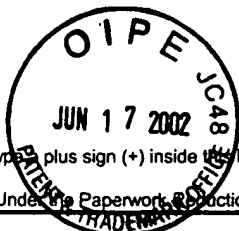
If there is any further question as to the applicants' intentions, a telephone call to the undersigned will be appreciated.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket No. 511582002100.

Respectfully submitted,

Dated: June 6, 2002

By: Kate H. Murashige  
Kate H. Murashige  
Registration No. 29,959  
Morrison & Foerster LLP  
3811 Valley Centre Drive, Suite 500  
San Diego, California 92130-2332  
Telephone: (858) 720-5112  
Facsimile: (858) 720-5125



COPY OF PAPERS  
ORIGINALLY FILED

Please type plus sign (+) inside the box → ☐

PTO/SB/21 (08-00)

Approved for use through 10/31/02. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number Of Pages In This Submission

3

Applicati n Number

09/697,206

Filing Date

26 October 2000

First Named Inventor

Daniel E. H. AFAR, et al.

Group Art Unit

1642

Examiner Name

M. Davis

Attorney Docket No.

511582002100

RECEIVED

JUN 21 2002

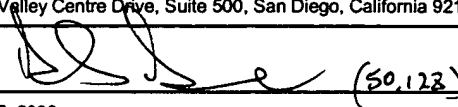
TECH CENTER 1600/2000

**ENCLOSURES (check all that apply)**

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Fee Transmittal Form  | <input type="checkbox"/> Assignment Papers                                | <input type="checkbox"/> After Allowance Communication to Group                            |
| <input type="checkbox"/> Fee Attached  | <input type="checkbox"/> Drawing(s)                                       | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences        |
| <input checked="" type="checkbox"/> Amendment / Reply                                | <input type="checkbox"/> Licensing-related Papers                         | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final   | <input type="checkbox"/> Petition   | <input type="checkbox"/> Proprietary Information   |
| <input type="checkbox"/> Affidavits/declarations                                     | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Status Letter   |
| <input type="checkbox"/> Extension of Time Request                                   | <input type="checkbox"/> Change of Correspondence Address                 | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):            |
| <input type="checkbox"/> Express Abandonment Request                                 | <input type="checkbox"/> Terminal Disclaimer                              | <input checked="" type="checkbox"/> Return Postcard  |
| <input type="checkbox"/> Information Disclosure Statement, PTO Form 1449, References | <input type="checkbox"/> Request for Refund                               | <input type="checkbox"/>   |
| <input type="checkbox"/> Certified Copy of Priority Document(s)                      | <input type="checkbox"/> CD, Number of CD(s) _____                        | <input type="checkbox"/>   |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application           |   |  |
| <input type="checkbox"/> Response to Missing Parts under 37 C.F.R. 1.52 or 1.53      |   |  |

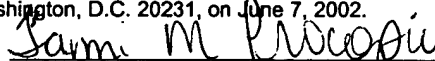
Remarks

**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT**

Firm or Individual Name	For Kate H. Murashige Reg. No. 29,959 Morrison & Foerster LLP 3811 Valley Centre Drive, Suite 500, San Diego, California 92130
Signature	 (50,123)
Date	June 7, 2002

**CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on June 7, 2002.

  
Tami M. Procopio

Burden Hours Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Issue Fee, Washington, DC 20231.